

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Darin Trees

Therapeutic Exercise Device For:

Conf. No.

Serial No.: 10/695,117 Art Unit: 3764

Filed: October 28, 2003 Lori Baker Amerson Examiner:

## AMENDMENT/RESPONSE TO OFFICE ACTION

August 20, 2008

Commissioner For Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Enclosed is an Amendment/Response to the Office Action which was mailed on July 25, 2008 in connection with the application identified above, along with a postcard receipt addressed to Applicant's attorney. Please file the Amendment/Response, mark the postcard with the date of receipt and return it to the undersigned attorney. Thank you for your cooperation.

Sincerely,

Attorney for Applicant (Registration No. 28427)

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CERTIFICATE OF MAILING

6098

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with postage prepaid in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on August 20, 2008.

Date of Signature: August 20, 2008



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## AMENDMENT/RESPONSE TO OFFICE ACTION

August 20, 2008

Commissioner For Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This is a response to the Office Action that was mailed on July 25, 2008. Claims 1 and 4-9 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,638,793 of Therkorn in view of U.S. Patent No. 6,645,130 of Webber. Claims 10-20 have been allowed, and objection has been raised to claims 2 and 3 as being dependent on a rejected base claim. Applicant has amended claim 1 (and by dependency therefrom, claims 2-9), and he offers the following remarks to address the rejections of his claims. In light of this amendment and these remarks, Applicant respectfully requests reconsideration of the application and early allowance of his claims.